

**BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.**

In the Matter of)	
)	
JAPAN TELECOM AMERICA, INC.)	
)	
Application Under Section 214)	File No. _____
of the Communications Act of 1934,)	
as Amended, to Resell Video Transmission)	
Services of Authorized U.S. Common)	
Carriers Between the United States and Japan)	

TO: Chief, International Bureau

APPLICATION

Japan Telecom America, Inc. (“JTA”) hereby requests authority from the Federal Communications Commission (“Commission”), pursuant to Section 214 of the Communications Act of 1934 (“the Act”), 47 U.S.C. § 214, and Section 63.18(e)(2) of the Commission’s Rules, 47 C.F.R. § 63.18(e)(2) to resell international video transmission services of authorized U.S. carriers between the United States and Japan.

JTA, a New York corporation, is a wholly-owned subsidiary of Japan Telecom Co., Ltd. (“JT”), a corporation which is organized and operated under the laws of Japan and which provides international and domestic fixed telecommunications services in Japan.¹ JT, in turn, is indirectly controlled by Ripplewood Investments, L.L.C.

¹ JTA was formed from the merger on October 1, 1997 of Japan Telecom Co., Ltd. and International Telecom Japan Inc. (“ITJ”). ITJ, which provided international telecommunications services in Japan, was the parent company of ITJ America Inc. As a result of the merger, ITJ was dissolved and ITJ America was renamed Japan Telecom America, Inc. See ITJ America Inc., Application for Authority, pursuant to Section 214 of the Communications Act of 1934, as amended, to transfer control of an authorized

(“Ripplewood”). See In the Matter of Vodafone Group PLC and Ripplewood Investments, L.L.C., Application to Transfer Control of Japan Telecom America, Inc., File No. ITC-T/C-20030903-00425 (granted October 6, 2003) (“Vodafone-Ripplewood Application”).

JTA is currently authorized under Section 214 of the Act to provide the following services:

(1) resell non-interconnected private line services between the United States and Japan. In Re Application of ITJ America, Inc., File No. ITC-96-275, Order, Authorization and Certificate (October 29, 1996) (“ITJ America Authorization”);

(2) operate as a facilities-based and resale carrier for the provision of international basic switched, private line services between the United States and various points, except Japan, File No. ITC-97-146;

(3) provide facilities-based international basic switched, private line, data, television and business services between the United States and Japan, File No. ITC-97-449; and

(4) resell the international switched services of all authorized U.S. common carriers between the United States and Japan to provide international switched services to Japan, File No. ITC-98-350.

This Application is subject to streamlined processing because the Commission has previously determined that JT, the foreign carrier in Japan with which JTA is affiliated,

international carrier, Memorandum Opinion and Order, File No. ITC-97-416-TC, DA 97-2049 (Int’l Bur., rel. Sept. 23, 1997) (“Transfer of Control Order”).

lacks market power.² JT's market share and market power have not changed appreciably since the time of prior determinations by the Commission that JT lacks market power and, accordingly, JTA should continue to be treated as non-dominant on the U.S.-Japan route.

Section 63.18 Data

Pursuant to Section 63.18 of the Commission's Rules, JTA sets forth the following information in support of its request for authorization:

- (a) The name, address and telephone numbers of the applicant are:

Japan Telecom America Inc.
10 Rockefeller Plaza
Suite 1420
New York, New York 10020
Tel: 212-262-7650
Fax: 212-262-7680

- (b) JTA is a corporation organized and existing under the laws of the state of Delaware.

- (c) Correspondence concerning this application should be addressed to:

Mr. Shinji Suzuki
Senior Vice President, Planning & Control
Japan Telecom America Inc.
10 Rockefeller Plaza
Suite 1420
New York, New York 10020

Tel: 212-632-0587
Fax: 212-262-7680

² See Vodafone-Ripplewood Application ("Commission has already determined that JT lacks market power in Japan," *citing In re Application of Japan Telecom Co. Ltd and Vodafone Group PLC for Consent to Transfer Control of Japan Telecom America, Inc.*, ITC-T/C-20011009-00513, Public Notice, DA 01-2552 (2001)).

with a copy to:

Jeffrey P. Cunard, Esq.
Debevoise & Plimpton
555 13th Street, N.W.
Suite 1100E
Washington, D.C. 20004

Tel: 202-383-8000

Fax: 202-383-8118

(d) As indicated above, JTA holds various Section 214 authorizations.

(e) JTA is requesting Section 214 authority to resell the international video transmission services of authorized U.S. common carriers between the United States and Japan. JTA certifies that it will comply with the terms and conditions of Sections 63.21 and 63.23 of the Commission's Rules.

(h) JTA is wholly owned by:

Japan Telecom Co., Ltd..
7-1, Hatchobori 4-chome
Chuo-ku, Tokyo 104-8508
Japan

Japan Telecom Co., Ltd. is a corporation organized and existing under the laws of Japan., the principal business of which is providing international and domestic fixed and wireless telecommunications services in Japan.

Japan Telecom Co., Ltd. is indirectly controlled by Ripplewood Investments, L.L.C., a limited liability company organized and existing under the laws of the state of Delaware.

Collins Family Partners, L.P. holds 100% of the voting equity in Ripplewood, and an 82% economic interest in Ripplewood with respect to Ripplewood's holdings of JT. No other person or entity owns greater than 10% of Ripplewood.

Substantially all of the equity, and all of the voting power, of Collins Family Partners, L.P. is held by Timothy C. Collins and entities controlled entirely by Timothy C.

Collins.³ The address for both Mr. Collins and Collins Family Partners L.P. is:

c/o Ripplewood Investments, L.L.C.
One Rockefeller Plaza, 32nd Floor
New York, New York 10020

The primary business of Mr. Collins and Collins Family Partners, L.P. is investment. Mr. Collins is a U.S. citizen.

None of JTA, JT, Ripplewood, Mr. Collins or Collins Family Partners, L.P. has any interlocking directorates with any foreign carriers.

(i) JTA certifies that it is affiliated with JT, a domestic and international carrier that operates fixed line services in Japan, through its wholly-owned subsidiary, Japan Telecom Co., Ltd. Ripplewood, Mr. Collins and Collins Family Partners, L.P. each certify that they are not affiliated with any foreign carrier other than JT.

(j) JTA certifies that, with respect to Japan (the destination country), JT is a carrier in Japan.

(k) Japan is a member of the World Trade Organization.

(l), (m) The Commission has previously classified JTA (or its predecessor, ITJ America) as non-dominant on the U.S.-Japan route.⁴

³ These entities include a corporation that is wholly-owned by Mr. Collins and two family trusts over which Mr. Collins exercises full control.

⁴ See note 2, *supra*. See Japan Telecom America, Inc. File No. ITC-97-449, Order and Authorization, ¶15 (rel. Jan. 26, 1998) (classifying JTA as non-dominant on the U.S.-Japan route for the provision of facilities-based services). See also ITJ America Authorization, ¶15 (concluding, in order granting ITJ America (JTA's predecessor) authorization to resell non-interconnected private line services between the United States and Japan, that "ITJ-Japan does not have market power in the domestic market for

(n) JTA hereby certifies that it has not agreed to accept special concessions, as defined by the Commission's Rules, directly or indirectly from any foreign carrier or administration with respect to any U.S. international route where the foreign carrier possesses market power on the foreign end of the route and will not enter into any such agreement in the future.

(o) JTA certifies that, pursuant to Sections 1.2001 through 1.2003 of the Commission's Rules, no party to the application is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853(a).

(p) JTA qualifies for streamlined processing pursuant to Section 63.12 because JT holds less than a 50% market share in the international transport and local market in Japan and because the Commission has previously classified JT as non-dominant on the U.S.-Japan international route.

Conclusion

For the reasons specified herein, JTA respectfully submits that the public interest, convenience and necessity would be furthered by a grant of this Section 214 application.

Respectfully submitted,

Japan Telecom America Inc.

Shinji Suzuki
Senior Vice President,
Planning and Control
10 Rockefeller Plaza

terminating private lines or the international facilities-based market"); Transfer of Control Order, ¶ 5 (not altering conclusion when ITJ merged with JT).

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January 27, 2004